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Chappell
74705

IN THE ALABAMA SUPREME COURT

WILLIE LIZZIE GARDNER,)

Petitioner,)

VS.)

CASE NO. _____

STATE OF ALABAMA,

Respondent.)

MOTION TO SUSPEND THE RULES

COMES, now the petitioner in the above style cause before the honorable court and moves pursuant Rule 2, Ala.R.App.Pro., and state as follows:

1. The petitioner is incarcerated at the William E. Donaldson Prison and has no means of accessing court rules beyond his resort to the prison law library,

2. The Prison Law Library does not have up to date 2005 Alabama Rules published by the Supreme Court as to rules and procedures for filing writ of certiorari that must be complied with.

3. Your petitioner request that this court accept his petition as properly filed and in good faith attempts to comply with the previous rules of 2004 etc. as a pro-se litigant.

Therefore with premisses considered your petitioner herein moves this honorable court to accept this petition as properly filed.

Respectfully submitted,

Willie L. Gardner
WILLIE LIZZIE GARDNER

0693 006 DVJN3

EXHIBIT

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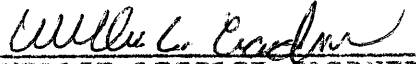
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing legal document
has been served on the respondents this 24th ^{July} day 2005,
by placing the same in the United State mail postage prepaid and
addressed as follows:

OFFICE OF THE ATTORNEY GENERAL
TROY KING
11 South Union Street
Montgomery, Ala. 36130

CLERK, ALABAMA COURT OF CRIMINAL APPEALS
300 Dexter Ave.
Montgomery, Ala. 36130

Respectfully submitted,



WILLIE LIZZLIE GARDNER
A.I.S. 28819-84
100 Warrior LANE
Bessemer, Ala. 35023